



**CITY COUNCIL  
ATLANTA, GEORGIA**

**AN ORDINANCE**

**02-0-1548**

**BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON July 25, 2002**

<b>2025</b>	<b>Detroit Avenue, NW</b>	<b>03</b>
<b>3775</b>	<b>Forrest Park Road, SE</b>	<b>12</b>
<b>612</b>	<b>Jones Avenue, NW</b>	<b>03</b>
<b>558</b>	<b>Western Avenue, NW</b>	<b>03</b>
<b>562</b>	<b>Western Avenue, NW</b>	<b>03</b>

**WHEREAS**, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

**WHEREAS**, on September 27, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

**WHEREAS**, September 27, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

**WHEREAS**, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

**WHEREAS**, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

**WHEREAS**, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1:** That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
2025 Detroit Avenue, NW	03
3775 Forrest Park Road, SE	12
612 Jones Avenue, NW	03
558 Western Avenue, NW	03
562 Western Avenue, NW	03

**SECTION 2:** That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached  
In an amount necessary to recover the costs incurred by the City of Atlanta

**SECTION 3:** That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

*Rhonda Daughlin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

OCT 07, 2002  
OCT 15, 2002

**TO WHOM IT MAY CONCERN:      LIS PENDENS**

Notice is hereby given that a complaint was filed by the City of Atlanta against:

**Dana Hawkins  
Associates Homes Equity Services, INC  
Equity One, INC**

on      7-8-02      in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 175 OF  
THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING LOT 20, BLOCK E,  
PINE ACRES, AS PER PLAT RECORDED IN PLAT BOOK 47, PAGE 81, FULTON  
COUNTY RECORDS. Being improved property known as  
2025 Detroit Avenue, NW according to the present  
numbering of houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated:      July 8, 2002

BY:

Dale S. Haygood  
Bureau of Neighborhood Conservation, Official Agent  
(404) 330-6195

BY:

Bill Casty  
Assistant Real Estate City Attorney

**TO WHOM IT MAY CONCERN: LIS PENDENS**

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Fulton County/City of Atlanta Land Bank Authority and Southeast Diversified  
Development, Inc.  
Wilshire Real Estate Partnership, LP  
Lyle Maul  
Caulis Negris, LLC  
National Tax Funding

on **7-8-02** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 1 of  
the 14th District of Fulton County, Georgia, and being more  
particularly described as follows:

BEGINNING at an iron pin on the northwesterly side of Forest Park  
Road, 355 feet northeasterly from Conley Road, as measured along  
the northwesterly side of Forest Park Road; running thence north 73  
degrees 00 minutes 20 seconds west a distance of 160.21 feet to an  
iron pin; continuing thence north 73 degrees 54 minutes 00 seconds  
west a distance of 154.77 feet to an iron pin; running thence north  
17 degrees 35 minutes 40 seconds east a distance of 301 feet to an  
iron pin; running thence southeasterly a distance of 325 feet to an  
iron pin at the northwesterly side of Forest Park Road; running  
thence south 17 degrees 29 minutes 40 seconds west along the  
northwesterly side of Forest Park Road a distance of 274.9 feet to  
an iron pin at the point of beginning. Being improved property  
known as 3775 Forrest Park Road, SE according to the  
present numbering of houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,  
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This  
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as  
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such  
real property.

Dated: July 8, 2002

BY:

Dale S. Fitzgerald  
Bureau of Neighborhood Conservation, Official Agent  
(404) 330-6195

BY:

Bill Carter  
Assistant Real Estate City Attorney

**TO WHOM IT MAY CONCERN: LIS PENDENS**

Notice is hereby given that a complaint was filed by the City of Atlanta against:

The Chase Manhattan Bank successor by merger to Chase Bank of Texas, NA f/k/a  
Texas Commerce Bank, NA, as custodian

on 7-8-02 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 82 OF THE 14TH  
DISTRICT, FULTON COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH SIDE OF JONES AVENUE 47.3 FEET EAST OF THE  
SOUTHEAST CORNER OF JONES AVENUE AND VINE STREET; RUNNING THENCE EAST  
ALONG THE SOUTH SIDE OF JONES AVENUE 47.3 FEET; THENCE SOUTH 120 FEET TO AN  
ALLEY; THENCE WEST ALONG THE NORTH SIDE OF SAID ALLEY 47.3 FEET; THENCE NORTH  
120 FEET TO THE POINT OF BEGINNING; BEING IMPROVED PROPERTY KNOWN AS 612  
JONES AVENUE, N.W., ATLANTA, GEORGIA 30314, ACCORDING TO THE PRESENT SYSTEM  
OF NUMBERING HOUSES IN FULTON COUNTY, GEORGIA.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,  
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This  
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as  
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such  
real property.

Dated: July 8, 2002

BY:

Dale S. Haygood  
Bureau of Neighborhood Conservation, Official Agent  
(404) 330-6195

BY:

Bill Canty  
Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Jeffery M. Dockweiler  
Regions Bank

on 7-12-02 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 32 of the 14<sup>th</sup> District,  
Fulton County, Georgia and being more particularly described as follows:

Beginning at a point 68.07 feet northwest from the intersection of Western  
Avenue and Maple Street; thence along the south side of Western Avenue North 89  
degrees, 30 minutes, 15 seconds East a distance of 68.07 feet; thence along the west side  
of Maple Street South 26 degrees, 47 minutes, 38 seconds East a distance of 110 feet;  
thence South 89 degrees, 46 minutes, 22 seconds West a distance of 123.08 feet; thence  
North 3 degrees, 10 minutes, 7 seconds East a distance of 98.14 feet to the point of  
beginning.

being improved property as 558 and 562 Western Avenue, Atlanta, Georgia according to the present  
numbering system in City of Atlanta, Fulton County, Georgia

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,  
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This  
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as  
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such  
real property.

Dated: July 12, 2002

BY: Dale S. Hangood  
Bureau of Neighborhood Conservation, Official Agent  
(404) 330-6195  
BY: Bill Carter  
Assistant Real Estate City Attorney

RCS# 4057  
10/07/02  
3:31 PM

Atlanta City Council

Regular Session

02-O-1548                      Demolish & Clean Premises of Various  
                                 Structures; Hearing Held 7/25/02  
                                 ADOPT

YEAS:    13  
NAYS:    0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT    1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

**(Do Not Write Above This Line)**

N ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON JULY 25, 2002

**ADOPTED BY  
OCT 07 2002  
COUNCIL**

Date Referred 9/16/02

Referred To:

Date Referred

Referred To:

Committee \_\_\_\_\_  
Date 9/17/12  
Chair Charles McCreary  
Referred to \_\_\_\_\_ 09/13

Committee  
CD/HR

Date 10/1/07	Date
Chair <i>[Signature]</i>	Chair
Action: Fav, Adv, Hold (see rev. side)	Action: Fav, Adv, Hold (see rev. side)
Other:	Other:

## Members

**Members**

Maria Archibald  
Gordon Archibald  
Mary Norwood  
John D. Jones

**Refer To**

Refer To

Committee

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action: \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Other: \_\_\_\_\_

fold (see rev. side)  
Other:

## Members

Refer To

Committee

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action: \_\_\_\_\_

Fav. Adv. Hold (see rev. side) \_\_\_\_\_

Other: \_\_\_\_\_

Other: \_\_\_\_\_

## Members

Refer To

## FINAL COUNCIL ACTION

☒ 2nd
 ☐ 1st & 2nd
 ☐ 3rd  
 Readings  
☐ Consent
 ☐ V Vote
 ☒ RC Vote

CERTIFIED

OCT 07 2002

## MAYOR'S ACTION

2007 6 10  
Shirley Franklin